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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,549	06/06/2001	Sho Kuwamoto	07844-731001	6894
21876 7590 12/12/2007 FISH & RICHARDSON P.C. P.O. Box 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER TANG, KENNETH	
			ART UNIT 2195	PAPER NUMBER
			MAIL DATE 12/12/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

09/875,549

Applicant(s)

KUWAMOTO ET AL.

Examiner

Kenneth Tang

Art Unit

2195

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 9, 11-13, 15, 17-18, 27, 29-31, 33, 35-53 is/are pending in the application.
- 4a) Of the above claim(s) 37-46 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9, 11-13, 15, 17, 18, 27, 29-31, 33, 35, 36 and 47-53 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This action is in response to the Amendment on 8/16/07. Applicant's arguments are moot in view of the new grounds of rejections.
2. Claims 9, 11-13, 15, 17-18, 27, 29-31, 33, 35-36 and 47-53 are presented for examination.
3. As stated in the Office Action on 10/12/07, the Applicant withdrew claims 37-46 and the Applicant is required to cancel these claims.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 9, 11-12, 15, 17-18, 27, 29-30, 33, 35-36, and 47-49, and 51-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burd et al. (hereinafter Burd) (US 6,961,750 B1) in view of Holland et al. (hereinafter Holland) (US 6,507,867 B1).**
5. As to claim 9, Burd teaches a computer implemented method of associating information received by a client from a server with a first at least one object (see Abstract), comprising:  
  
locating, at the client, a start identifier (starting tag) and an end identifier (ending tag) in the information received from the server (server-side code that is responsible for displaying

server data such as changing stock price or traffic information, etc.), wherein the end identifier corresponds to the start identifier (each starting HTML tag has a corresponding ending HTML tag) (col. 1, lines 64-67 through col. 2, lines 28, col. 4, lines 1-4, Fig. 4, items 2, 3, 10, 11, 12, 19, 20, 21, etc.);

identifying, at the client, a first object associated with at least one of the start identifier and the end identifier, wherein the first object comprises server side code (server-side code of server-side application program is identified in HTML data and the webpage is displayed in the browser of the client) (col. 1, lines 64-67 through col. 2, lines 1-39, Fig. 2, items 214, 216, col. 7, lines 52-67); and

associating, at the client, an item of information appearing between the start identifier and the end identifier with the first object, wherein the item of information comprises a result generated by the server (server generates the HTML code that contains the object before sending to client to be displayed on web browser) in accordance with the first object (col. 1, lines 64-67 through col. 2, lines 1-39, Fig. 2, items 214, 216, col. 7, lines 52-67).

In summary, Burd teaches a server sending a client HTML code, wherein the HTML code can contain server-side code (col. 1, lines 64-67 through col. 2, lines 28, col. 5, lines 14-18). An example of the server-side code that Burd refers to could relate to the display of the dynamic changing of a stock price or the display of the constantly changing traffic information. This server-side code can be formatted into the HTML that the client computer identifies in order to view the webpage with the content on a client computer. In HTML files, there are HTML start and end tags that appear before and after HTML code (For example, Fig. 4, items 2, 3, 10, 11, 12, 19, 20, 21, etc.). Server-side code (as well as other code in the HTML file) is located,

identified, and associated by the client. The “result” is the HTML data that is generated by the server and that gets transmitted to the client (Fig. 2, 210, 214) for displaying (Fig. 2, 216) of the web page (which includes the displaying of the changing stock prices, traffic updates, etc.) on the client using a web browser (col. 1, lines 64-67 through col. 2, lines 28).

6. Burd is silent in storing said associated item of information at the client.

7. However, Holland discloses a system for constructing, downloading, and accessing web pages over an Internet network, wherein web pages can be dynamically bundled (i.e. packaged) and downloaded (stored) on a workstation (client computer) to be accessed by a user (see Abstract, col. 9, lines 55-67). Furthermore, Holland teaches the bundle may contain executable code such as one or more servlets, which will execute on the user's workstation to enable dynamic content generation (such as the dynamic content of traffic updates or stock price changes mentioned in Burd), and that servlets are described as server-side code of services that are accessed by a server application (col. 4, lines 33-43, col. 9, lines 9-13). In addition, the standard definition to one of ordinary skill in the art for a servlet is a server-side Java program that provides additional features to the server.

8. Burd (col. 1, lines 23-50) and Holland (col. 1, lines 10-34) are analogous art because they are both in the same field of endeavor of an Internet web server framework for viewing web pages.

9. One of ordinary skill in the art would have known to modify Burd such that it stores/downloads, at the client, Burd's said associated item of information appearing between the start identifier and the end identifier in association with said first object.

10. The suggestion/motivation for doing so would have been to provide the predicted result of allowing efficient access at the client without requiring an on-going network connection, which would thus, allow for viewing and interacting with Web pages without the expense and processing delays that occur with a network connection, while still being able to perform productive work (col. 5, lines 16-20, 37-54, col. 1, lines 13-18). Therefore, it would have been obvious to one of ordinary skill in the art to combine Burd and Holland to obtain the invention of claim 9.

11. As to claim 11, Burd teaches wherein:

each of the start identifier and the end identifier comprises an object identifier (col. 4, lines 14-19, col. 6, lines 25-27, col. 8, lines 15-67, col. 12, lines 18-31, col. 13, lines 1-10); and

identifying the first object comprises matching the start identifier and the end identifier with a first object identifier (col. 4, lines 14-19, col. 6, lines 25-27, col. 8, lines 15-67, col. 12, lines 18-31, col. 13, lines 1-10).

12. As to claim 12, Burd teaches wherein the start identifier and the end identifier comprise unique identifiers (col. 12, lines 17-31, col. 13, lines 1-20).

13. As to claim 15, Burd teaches:

locating a special attribute identifier in the information received from the server (col. 12, lines 17-31, col. 9, lines 50-53, col. 12, lines 6-34, col. 13, lines 1-20);

identifying a second object associated with the special attribute identifier (col. 12, lines 17-31, col. 9, lines 50-53, col. 12, lines 6-34, col. 13, lines 1-20); and

associating information corresponding to the special attribute identifier with the second object (col. 12, lines 17-31, col. 9, lines 50-53, col. 12, lines 6-34, col. 13, lines 1-20).

14. As to claim 17, Burd teaches wherein the information corresponding to the special attribute identifier comprises information surrounding the special identifier (col. 12, lines 17-31, col. 9, lines 50-53, col. 12, lines 6-34, col. 13, lines 1-20).

15. As to claim 18, Burd teaches wherein:

the information corresponding to the special attribute identifier comprises a tag (col. 6, lines 25-27, col. 13, lines 1-30); and

the special attribute identifier comprises an attribute of the tag (col. 6, lines 25-27, col. 13, lines 1-30).

16. As to claim 27, it is rejected for the same reasons as stated in the rejection of claim 9.

17. As to claim and 29-30, they are rejected for the same reasons as stated in the rejection of claims and 11-12, respectively.

18. As to claims 33, 35, and 36, they are rejected for the same reasons as stated in the rejection of claims 15, 17, and 18, respectively.

19. As to claims 47-49 and 51-53, they are rejected for the same reasons as stated in the rejection of claims 9, 11-12, 15, 17, and 18, respectively.

**20. Claims 13, 31, and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burd et al. (hereinafter Burd) (US 6,961,750 B1) in view of Holland et al. (hereinafter Holland) (US 6,507,867 B1), and further in view of Heninger et al. (hereinafter Heninger) (US 6,470,349 B1).**

21. As to claim 13, Burd in view of Holland is silent in teaching wherein the start identifier comprises an even number and the end identifier comprises an odd number, wherein the value of the end identifier is greater than the value of the start identifier.

However, Heninger teaches sequentially ordered tokens for each element of a file, such as an HTML file, wherein said elements comprise HTML tags. Therefore, it would have been obvious to one of ordinary skill in the art to modify Burd in view of Holland's HTML tag identifiers such that they would be ordered sequentially (equivalent to the start identifier comprising an even number and the end identifier comprising an odd number, wherein the value of the end identifier is greater than the value of the start identifier). The suggestion/motivation for doing so would have been to provide the predicted result of easy recognition of the HTML tags (col. 6, lines 21-34). Therefore, it would have been obvious to one of ordinary skill in the art to combine Burd, Holland and Heninger to obtain the invention of claim 13.



22. As to claims 31 and 50, they are rejected for the same reasons as stated in the rejection of claim 13.

***Response to Arguments***

23. *Applicant argues on pages 10-13 of the Remarks that Burd does not teach storing, at the client, an item of information comprising a result generated by a server in association with a first object comprising server side code. In fact, Burd disclose the presence of server-side code only at the server, not at the client. Burd does not teach providing server-side code to a client. Burd does not disclose identifying, at the client, a server-side control object associated with at least one of the start identifier and the end identifier in the information received from the server. Rather, Burd discloses that a server-side control object renders HTML code for a client-side object. Burd does not disclose that declarative tags include a start identifier and an end identifier, or that such a start identifier and an end identifier are included in the information received from the server.*

24. In response, new grounds of rejections based on 35 USC 103 have been made involving Burd in view of Holland. Burd teaches a server sending a client HTML code, wherein the HTML code can contain server-side code (col. 1, lines 64-67 through col. 2, lines 28). An example of the server-side code that Burd refers to could relate to the display of the dynamic changing of a stock price or the display of the constantly changing traffic information. This server-side code can be formatted into the HTML that the client computer identifies in order to

view the webpage with the content on a client computer. In HTML files, there are HTML start and end tags that appear before and after HTML code (For example, Fig. 4, items 2, 3, 10, 11, 12, 19, 20, 21, etc.) and HTML code could include objects such as the server-side objects mentioned in Burd. Server-side code (as well as other code in the HTML file) is located, identified, and associated by the client. The “result” is the HTML data that is generated by the server and that gets transmitted to the client (Fig. 2, 210, 214) for displaying (Fig. 2, 216) of the web page (which includes the displaying of the changing stock prices, traffic updates, etc.) on the client using a web browser (col. 1, lines 64-67 through col. 2, lines 28). Therefore, Burd can provide server-side code to the client from the HTML data (HTML file includes HTML code within HTML tag identifiers) transmitted from the server to the client (Fig. 2, items 210, 214 and col. 5, lines 14-18).

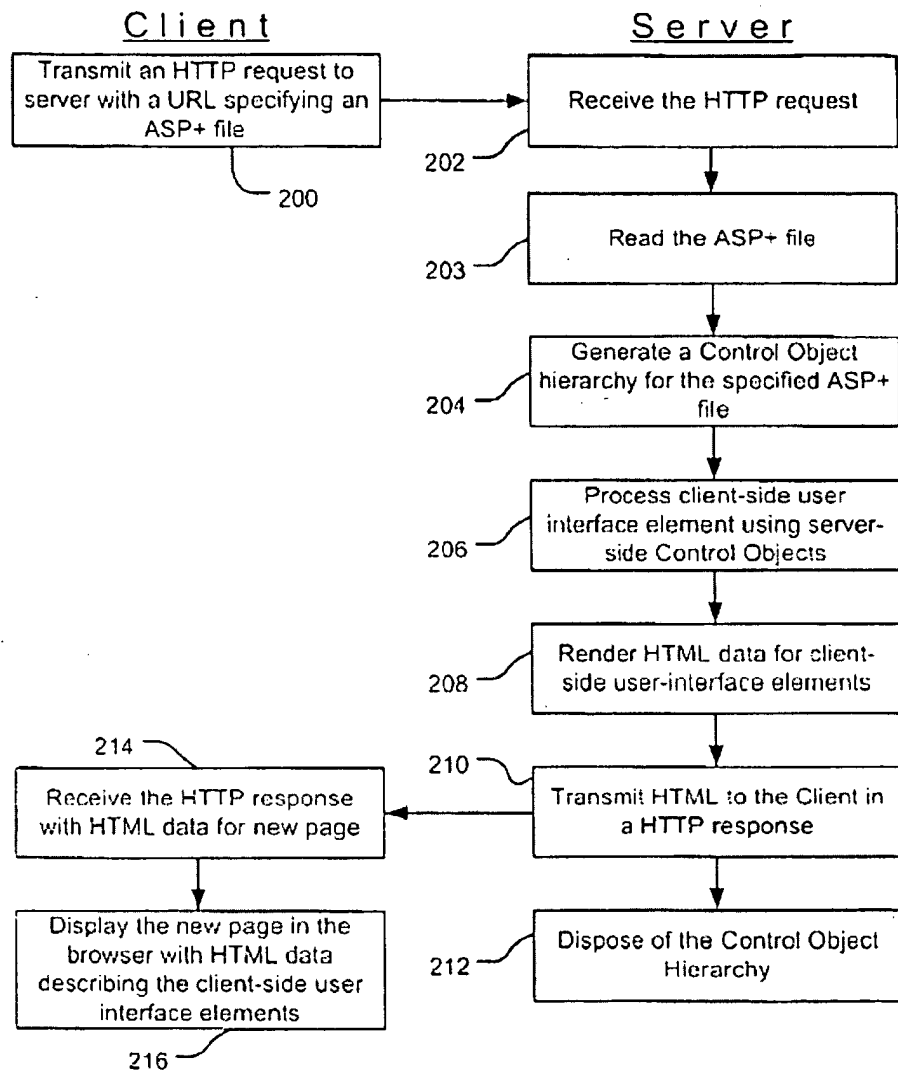


FIG. 2

25. Burd is silent in storing (as currently amended by the Applicant) said associated item of information at the client. However, Holland discloses a system for constructing, downloading, and accessing web pages over an Internet network, wherein web pages can be dynamically bundled (i.e. packaged) and downloaded (stored) on a workstation (client computer) to be

accessed by a user (see Abstract, col. 9, lines 55-67). Furthermore, Holland teaches the bundle may contain executable code such as one or more servlets, which will execute on the user's workstation to enable dynamic content generation (such as the dynamic content of traffic updates or stock price changes mentioned in Burd), and that servlets are described as server-side code of services that are accessed by a server application (col. 4, lines 33-43, col. 9, lines 9-13). In addition, the standard definition to one of ordinary skill in the art for a servlet is a server-side Java program that provides additional features to the server. One of ordinary skill in the art would have known to modify Burd such that it stores/downloads, at the client, Burd's said associated item of information appearing between the start identifier and the end identifier in association with said first object. The suggestion/motivation for doing so would have been to provide the predicted result of allowing efficient access at the client without requiring an on-going network connection, which would thus, allow for viewing and interacting with Web pages without the expense and processing delays that occur with a network connection, while still being able to perform productive work (col. 5, lines 16-20, 37-54, col. 1, lines 13-18). Therefore, it would have been obvious to one of ordinary skill in the art to combine Burd and Holland to obtain the invention of claim 9.

26. Applicant's arguments (on pages 14-15 in the Remarks) regarding claims 13, 31, and 50 have been fully considered but are moot in view of the new grounds of rejections.

***Conclusion***

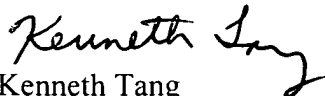
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- **Perkowski (US 6,625,581 B1)** discloses an Internet client/server network system, wherein HTML files containing servlets or server side code are downloaded/stored on a client computer (col. 52, lines 21-35).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth Tang whose telephone number is (571) 272-3772. The examiner can normally be reached on 8:30AM - 6:00PM, Every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Kenneth Tang  
12/4/07